

Opening Statement of the Honorable Greg Walden
Subcommittee on Communications and Technology
Hearing on “Stakeholder Perspectives on the IANA Transition”
May 13, 2015

(As Prepared for Delivery)

From the time the administration announced their intent to transition the IANA functions from ICANN to the international multi-stakeholder community, I've had very serious concerns about the potential risks associated with the move. We've said time and again that this is far too important to rush, and that we must carefully consider all of the consequences and outcomes before we ring a bell that cannot be unrung.

This subcommittee has been committed to oversight of the transition process and ensuring that there are safeguards in place to improve the odds of a successful transition and preserve the Internet we are all committed to protecting. Last Congress, we held hearings on this topic and passed the DOTCOM Act out of the full Committee almost exactly a year ago. The goals of the DOTCOM Act are consistent with our position — it is the appropriate role of this subcommittee to oversee the NTIA, and in this case ensure that it thoroughly evaluates any proposal. As part of this oversight, we've already asked the GAO to begin an inquiry into the process that examines the existing contract, risks to be considered, and any safeguards that can be put into place to reduce threats to the future operations and functions of the Internet.

Many have come to us to emphasize the importance of the IANA transition to the continued success of the multi-stakeholder model of governance, and to urge us to be mindful of the way the international community perceives our actions. We recognize these considerations, but we also feel it would be irresponsible to ignore the very real risks associated with a relinquishment of the U.S. role in Internet governance, no matter how symbolic. This is why we have taken the measured approach we will discuss today.

NTIA put forward a set of criteria that they say any acceptable transition proposal must meet, all of which are essential to ensuring a vibrant Internet should NTIA transition IANA to the multi-stakeholder community. NTIA should be applauded for this, and for its willingness to stick to these criteria despite the difficulty in meeting them. Our goal through this legislation and our efforts in the subcommittee is to ensure that these conditions are met and that the myriad unforeseen complications that could arise in meeting them are addressed.

I am pleased to report that staff from both sides of the aisle have been working together to produce amendment to the DOTCOM Act that meets these goals that we all share without unduly burdening the agency as it works toward its goal. While NTIA works within its proper role in the multi-stakeholder model, we too are working within our proper role as oversight authority. While we have not reached agreement on final text, our discussions have been very promising. There is an important role for Congress in this transition and I commend the staff for their hard work.

I'd also like to take a moment to touch on the timeline of the transition. It seems that everyone, including NTIA Administrator Larry Strickling, has acknowledged that the important work needed to facilitate a transition cannot be done before the existing contract expires on September 30, 2015. I urge NTIA to exercise the two-year renewal option on the contract. Doing so allows the deliberative process to continue without artificial pressure or time constraints. And this won't provide any additional hurdle to the transition itself. Should NTIA and ICANN come to agreement on an acceptable proposal before the two-year period is up, the contract can be cancelled to facilitate the transition.

I'm pleased to have our panel of stakeholder witnesses here today to give us an update on their views of the transition. In the past year, thousands of hours of hard work have taken place — many by our witnesses — to move this forward. Our last hearing gave voice to concerns that have been incorporated

into the work of the multi-stakeholder working groups, and this is an opportunity for us to once again to play our role in this process. I thank the witnesses for being here and look forward to your expertise.

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